

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36048 of 2014

Arising Out of PS. Case No. -298 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Sajal Kumar, Son of Badri Singh, R/o Mohalla Akharaghat (Shekhpur),
P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner.

Versus

1. The State of Bihar.
2. Jai Shankar Shahi, Son of Late Raj Mangal Shahi, resident of Village-
Barkagaon, P.S.- Karja, District- Muzaffarpur.

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. U. S. P. Singh (APP)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioner and the
complainant.

The petitioner apprehends his arrest in a case under
Sections 406 and 420 of the Indian Penal Code and Section 138 of
the Negotiable Instrument Act.

As per the complainant, Jai Shankar Shahi, the
petitioner took loan of Rs. 6,98,000/- from him. On demand, a
cheque of Rs. 1,00,000/- was paid by the petitioner on 15.10.2012
and the said cheque was dishonoured.

Learned counsel for the petitioner submits that the
complainant was responsible for dishonouring the cheque, as he
was not given his correct account number. The petitioner, as such,

again issued a draft of Rs. 1,00,000/- in favour of the complainant of Dena Bank bearing number 363955 dated 21.02.2015.

The draft is duly accepted by Mr. Arvind Kumar, learned counsel appearing for the complainant.

In that view of the matter, in the event of arrest or surrender before the court below within four weeks from today the above named petitioner be released on anticipatory bail on furnishing bail bond of Rs.5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate (West), Muzaffarpur in connection with Complaint Case no. 298 of 2013 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Samarendra Pratap Singh, J.)

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